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Paper No. 4

MAIL

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JUL 1 1 2002

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of:

Brian L. Ganz et al.,

Application No.: 09/982,048

Filed: October 18, 2001

For: AUTOMATED VERIFICATION AND

INSPECTION DEVICE FOR SEQUENTIALLY INSPECTING MICROSCOPIC CRYSTALS **DECISION ON PETITION TO**

MAKE SPECIAL

This is a decision on the petition, filed October 18, 2001, pursuant to M.P.E.P. 708.02(XII): Biotechnology, to make the above-identified application special.

A grantable petition under M.P.E.P. § 708.02, Section XII, SPECIAL STATUS FOR APPLICATIONS RELATING TO BIOTECHNOLOGY FILED BY APPLICANTS WHO ARE SMALL ENTITIES. Applicant must file a petition with the petition fee under 37 CFR 1.17(i) requesting the special status and must:

- (A) state that small entity status has been established or include a statement establishing small entity status;
- (B) state that the subject of the patent application is a major asset of the small entity; and
- (C) state that the development of the technology will be significantly impaired if examination of the patent application is delayed, including an explanation of the basis for making the statement.

All the above requirements are met and the petition is **GRANTED**.

The application will retain its special status throughout its entire course of prosecution in the Patent and Trademark Office, including appeal, if any to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant. The application file will be forwarded to the examiner for expedited prosecution.

Application No. : 09/982,048 On Petition

Kenneth A. Wieder

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